

The Appeals Board agrees with the finding by the Administrative Law Judge that claimant has failed to meet his burden to show that he suffered an accidental injury arising out of and in the course of his employment. Although the record in this case includes claimant's own testimony regarding an accidental electrocution in the course of his employment as well as the testimony of a co-worker who claims to have observed that electrocution, the record also contains contradictory evidence. The record includes medical records indicating the claimant does not suffer from any condition which would be related to the electrocution. On balance the Appeals Board finds that the record as a whole does not support plaintiff's claim and the Appeals Board affirms the denial of benefits.

AWARD

WHEREFORE, the Appeals Board hereby affirms the decision of the Administrative Law Judge entered December 27, 1993 denying benefits in this case.

IT IS SO ORDERED.

Dated this _____ day of March, 1994.

BOARD MEMBER PRO TEM

BOARD MEMBER

BOARD MEMBER

cc: Diane F. Barger, P.O. Box 626, Emporia, Kansas 66801
Pamela L. Falk, P.O. Box 2204, Emporia, Kansas 66801
Floyd V. Palmer, Administrative Law Judge
George Gomez, Director